

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A membrane electrode unit comprising
  - A) at least one polymer membrane which includes at least one polymer with at least one nitrogen atom, the polymer membrane including at least one mineral acid,
  - B) at least two electrodes,wherein at least one electrode includes a catalyst containing
  - i. at least one precious metal of the platinum group, and/or at least one precious metal Au and/or Ag and
  - ii. at least Ni.
2. (Previously presented): The membrane electrode unit according to claim 1, wherein a polyphosphazene is employed as the polymer with at least one nitrogen atom.
3. (Previously presented): The membrane electrode unit according to claim 1, wherein an alkaline polymer with at least one nitrogen atom in a repeating unit is used as the polymer with at least one nitrogen atom.
4. (Previously presented): The membrane electrode unit according to claim 3, wherein the alkaline polymer contains at least one aromatic ring with at least one nitrogen atom.
5. (Previously presented): The membrane electrode unit according to claim 4, wherein the alkaline polymer is a polyimidazole, a polybenzimidazole, a polybenzothiazole, a polybenzoxazole, a polytriazole, a polyoxadiazole, a polythiadiazole, a polypyrazole, a polyquinoxaline, a poly(pyridine), a poly(pyrimidine) or a poly(tetrazapyrene).
6. (Previously presented): The membrane electrode unit according to claim 3, wherein a mixture of one or more alkaline polymers with another polymer is employed.
7. (Previously presented): The membrane electrode unit according to claim 1, wherein the membrane comprises phosphoric acid and/or sulphuric acid as the mineral acid.
8. (Previously presented): The membrane electrode unit according to claim 1, wherein the polymer membrane comprises para-polybenzimidazoles.

9. (Previously presented): The membrane electrode unit according to claim 1, wherein the polymer membrane can be obtained by a process comprising the steps of
- i) preparing a mixture comprising polyphosphoric acid, at least one polyazole and/or at least one or more compounds which are suitable for the formation of polyazoles with action of heat in accordance with step ii),
  - ii) heating the mixture obtainable in accordance with step i) under inert gas to temperatures of up to 400°C,
  - iii) applying a layer using the mixture in accordance with step i) and/or ii) to a support, and
  - iv) treatment of the membrane formed in step iii).
10. (Previously presented): The membrane electrode unit according to claim 9, wherein the mixture produced in step i) comprises one or more aromatic and/or heteroaromatic tetraamino compounds and one or more aromatic and/or heteroaromatic carboxylic acids or their derivatives, which comprise at least two acid groups per carboxylic acid monomer, and/or one or more aromatic and/or heteroaromatic diaminocarboxylic acids which are suitable for the formation of polyazoles with action of heat in accordance with step ii).
11. (Previously presented): The membrane electrode unit according to claim 9, wherein the mixture produced in step i) comprises compounds which are obtainable by reaction of one or more aromatic and/or heteroaromatic tetraamino compounds with one or more aromatic and/or heteroaromatic carboxylic acids or their derivatives, which contain at least two acid groups per carboxylic acid monomer, or of one or more aromatic and/or heteroaromatic diaminocarboxylic acids in the melt at temperatures of up to 400°C, which are suitable for the formation of polyazoles with action of heat in accordance with step ii).
12. (Previously presented): The membrane electrode unit according to claim 10, wherein the compounds suitable for the formation of polyazoles as aromatic and/or heteroaromatic tetraamino compound comprise compounds which are selected from the group consisting of 3,3',4,4'-tetraaminobiphenyl, 2,3,5,6-tetraaminopyridine and/or 1,2,4,5-tetraaminobenzene.

13. (Previously presented): The membrane electrode unit according to claim 10, wherein the compounds suitable for the formation of polyazoles as aromatic and/or heteroaromatic carboxylic acids or their derivatives, which contain at least two acid groups per carboxylic acid monomer, comprise compounds which are selected from the group consisting of isophthalic acid, terephthalic acid, phthalic acid, 5-hydroxyisophthalic acid, 4-hydroxyisophthalic acid, 2-hydroxyterephthalic acid, 5-aminoisophthalic acid, 5-N,N-dimethylaminoisophthalic acid, 5-N,N-diethylaminoisophthalic acid, 2,5-dihydroxyterephthalic acid, 2,5-dihydroxyisophthalic acid, 2,3-dihydroxyisophthalic acid, 2,3-dihydroxyphthalic acid, 2,4-dihydroxyphthalic acid, 3,4-dihydroxyphthalic acid, 3-fluorophthalic acid, 5-fluoroisophthalic acid, 2-fluoroterephthalic acid, tetrafluorophthalic acid, tetrafluoroisophthalic acid, tetrafluoroterephthalic acid, 1,4-naphthalenedicarboxylic acid, 1,5-naphthalenedicarboxylic acid, 2,6-naphthalenedicarboxylic acid, 2,7-naphthalenedicarboxylic acid, diphenic acid, 1,8-dihydroxynaphthalene-3,6-dicarboxylic acid, diphenyl ether-4,4'-dicarboxylic acid, benzophenone-4,4'-dicarboxylic acid, diphenylsulphone-4,4'-dicarboxylic acid, biphenyl-4,4'-dicarboxylic acid, 4-trifluoromethylphthalic acid, 2,2-bis-(4-carboxyphenyl)hexafluoropropane, 4,4'-stilbenedicarboxylic acid, 4-carboxycinnamic acid or their C1-C20 alkyl esters or C5-C12 aryl esters or their acid anhydrides or their acid chlorides.
14. (Previously presented): The membrane electrode unit according to claim 10, wherein the compounds suitable for the formation of polyazoles comprise aromatic tricarboxylic acids, their C1-C20 alkyl esters or C5-C12 aryl esters or their acid anhydrides or their acid halides, or tetracarboxylic acids, their C1-C20 alkyl esters or C5-C12 aryl esters or their acid anhydrides or their acid halides.
15. (Previously presented): The membrane electrode unit according to claim 14, wherein the aromatic tricarboxylic acids comprise compounds of 1,3,5-benzenetricarboxylic acid (trimesic acid); 2,4,5-benzenetricarboxylic acid (trimellitic acid); (2-carboxyphenyl)iminodiacetic acid, 3,5,3'-biphenyltricarboxylic acid; 3,5,4'-biphenyltricarboxylic acid; 2,4,6-pyridinetricarboxylic acid, benzene-1,2,4,5-tetracarboxylic acids; naphthalene-1,4,5,8-tetracarboxylic acids, 3,5,3',5'-biphenyltetracarboxylic acids, benzophenonetetracarboxylic acid, 3,3',4,4'-biphenyltetracarboxylic acid, 2,2',3,3'-biphenyltetracarboxylic acid, 1,2,5,6-naphthalenetetracarboxylic acid and/or 1,4,5,8-naphthalenetetracarboxylic acid.

16. (Previously presented): The membrane electrode unit according to claim 14, wherein the content of tricarboxylic acid and/or tetracarboxylic acids is between 0 and 300 mol-%, based on dicarboxylic acid used.
17. (Previously presented): The membrane electrode unit according to claim 10, wherein the compounds suitable for the formation of polyazoles comprise heteroaromatic dicarboxylic acids, tricarboxylic acids and/or tetracarboxylic acids, which contain at least one nitrogen, oxygen, sulphur or phosphorus atom in the aromatic group.
18. (Previously presented): The membrane electrode unit according to claim 17, wherein pyridine-2,5-dicarboxylic acid, pyridine-3,5-dicarboxylic acid, pyridine-2,6-dicarboxylic acid, pyridine-2,4-dicarboxylic acid, 4-phenyl-2,5-pyridinedicarboxylic acid, 3,5-pyrazoledicarboxylic acid, 2,6-pyrimidinedicarboxylic acid, 2,5-pyrazinedicarboxylic acid, 2,4,6-pyridinetricarboxylic acid, benzimidazole-5,6-dicarboxylic acid and their C1-C20 alkyl esters or C5-C12 aryl esters or their acid anhydrides or their acid chlorides are employed.
19. (Previously presented): The membrane electrode unit according to claim 10, wherein the compounds suitable for the formation of polyazoles comprise diaminobenzoic acid and/or its monohydrochloride and dihydrochloride derivatives.
20. (Previously presented): The membrane electrode unit according to claim 10, wherein at least one para-dicarboxylic acid is employed.
21. (Previously presented): The membrane electrode unit according to claim 10, wherein the heating in accordance with step ii) is performed after the formation of a flat structure in accordance with step iii).
22. (Previously presented): The membrane electrode unit according to claim 10, wherein the membrane formed according to step iv) has a thickness between 15 and 3000  $\mu\text{m}$ .
23. (Presently amended) The membrane electrode unit according to claim 1, wherein the catalyst contains

- i. at least one precious metal of the platinum group, wherein said platinum group is Pt, Pd, Ir, Rh, Os, Ru, and/or at least one precious metal Au and/or Ag and
  - ii. Ni.
24. (Previously presented): The membrane electrode unit according to claim 1, wherein the catalyst is applied to the polymer membrane.
25. (Previously presented): The membrane electrode unit according to claim 1, wherein the catalyst layer has a thickness in the range of from 0.1 to 50  $\mu\text{m}$ .
26. (Previously presented): The membrane electrode unit according to claim 1, wherein the catalyst comprises catalytically active particles which have a size in the range of from 5 to 200 nm.
27. (Previously presented): The membrane electrode unit according to claim 1, wherein the catalyst comprises catalytically active particles on a support, the size of the catalyst particles being in the range of from 1 to 20 nm.
28. (Previously presented): The membrane electrode unit according claim 1, wherein the membrane electrode unit comprises 0.01 to 20  $\text{g/m}^2$ , of a catalytically active substance.
29. (Previously presented): The membrane electrode unit according to claim 27, wherein the catalytically active particles include carbon as a support.
30. (Currently Amended) The membrane electrode unit according to claim 1, wherein the weight ratio of the precious metals of the platinum group or of Au and/or Ag (i) to ~~the metals less precious according to the electrochemical series~~ Ni (ii) is between 1:100 to 100:1.
31. (Presently amended): A fuel cell containing one or more membrane electrode units according to claim 1.

32. (Previously presented) The membrane electrode unit according to claim 14, wherein the content of tricarboxylic acid and/or tetracarboxylic acids is between 0.5 and 10 mol-%, based on dicarboxylic acid used.
33. (Previously presented): The membrane electrode unit according to claim 1, wherein the membrane electrode unit comprises 0.1 to 10 g/m<sup>2</sup> of a catalytically active substance.
34. (Previously presented): The membrane electrode unit according to claim 1, wherein the membrane comprises phosphoric acid and/or sulphuric acid as the mineral acid doped in the polymer membrane.
35. (New) The membrane electrode unit according to claim 1, wherein the catalyst consists essentially of
- i) at least one precious metal of the platinum group, and/or at least one precious metal Au and/or Ag and
  - ii) Ni.
36. (New) The membrane electrode unit according to claim 1, wherein the catalyst consists of
- i) at least one precious metal of the platinum group, and/or at least one precious metal Au and/or Ag and
  - ii) Ni.